

FILED**Apr 09 - 2025**

John M. Domurad, Clerk

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Northern District of New York

UNITED STATES OF AMERICA

v.

CHRISTIAN FERNANDEZ-JARA,

Case No. 8:25-MJ-105 (GLF)

Defendant**CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief. On or about the date of January 24, 2024 in the county of Essex in the Northern District of New York the defendant, Christian Fernandez-Jara violated:

Code Section

8 U.S.C. § 1325(c)

Offense Description

The defendant, Christian Fernandez-Jara, knowingly entered into a marriage for the purpose of evading any provision of the immigration laws.

This criminal complaint is based on these facts:
See attached affidavit.

☒ Continued on the attached sheet.



Complainant's signature

Special Agent Simon Kramer, HSI

Printed name and title

Sworn to before me and signed in my presence.

Date: April 9, 2025


Judge's signature

City and State: Plattsburgh, NY

Hon. Gary L. Favro, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Special Agent Simon L. Kramer being first duly sworn, hereby depose and state as follows:

INTRODUCTION

1. I am a Special Agent with the Department of Homeland Security (DHS), Homeland Security Investigations (HSI), and have been a Special Agent with HSI since 2023, currently assigned to Rouses Point, NY. I am an investigative or law enforcement officer of the United States within the meaning of Title 18 United States Code, Section 2510(7), that is, an officer of the United States who is empowered by law to conduct investigations of and to make arrests for offenses enumerated in Title 18, United States Code, Section 2516(1). As a U.S. Special Agent, your affiant is authorized to seek and execute federal arrest and search warrants for Title 8 criminal offenses, including offenses related to Marriage Fraud, in violation of Title 8, United States Code, Section 1325(c).
2. Your affiant has a Bachelor of Arts degree in the fields of Psychology and Criminal Justice from Rutgers, The State University of New Jersey in New Brunswick, NJ. Your affiant has completed approximately 960 hours of instruction at the Federal Law Enforcement Training Center in Glynco, Georgia, encompassing both HSI Special Agent Training Program and Criminal Investigator Training Program. Your affiant has received training relating to the investigation of narcotics trafficking, firearms violations, money laundering, financial fraud, trafficking of counterfeit goods, human smuggling and trafficking, immigration and customs law, and other federal violations.
3. Prior to your affiant's tenure as a Special Agent, your affiant has worked as a Federal Air Marshal for the Transportation Security Administration and a Federal Police Officer for the Pentagon Force Protection Agency. Part of your affiant's duties as a Federal Air Marshal

included: enforce the statutes of Title 18 Criminal Law as well as Title 49 Transportation Law, participate in multi-agency operations to proactively combat terrorism and coordinate and administer law enforcement activities aboard US operated flights. As a Police Officer at Pentagon Force Protection Agency, your affiant's duties included: enforce the statutes of Title 18 Criminal Law as well as 32 CFR 234 Conduct on The Pentagon Reservation, operate as a Level 1 Civil Disturbance Officer; conduct Random Anti-Terrorism Measures; enforce local, state, and federal laws, as well as, DOD policy, procedures, and regulations; physically protect the grounds, personnel, visitors, and employees of the Pentagon Reservation; conduct access control screenings and contributed to protective services; and prepare reports for calls for service. Your affiant also has experience in conducting field interviews with both United States Citizens as well as suspected Foreign Nationals.

4. As part of my current duties, I have become involved in an investigation of a violation of Title 8, United States Code, Section 1325(c) (Marriage Fraud). This affidavit is made in support of a criminal complaint charging Christian Diego FERNANDEZ-JARA with a violation of Title 8, United States Code, Section 1325(c) (Marriage Fraud). The statements in this affidavit are based on information provided to me by other law enforcement officers, investigative reports, and my investigation of this matter. I have set forth only those fact that I believe are necessary to establish probable cause to believe that Chrisitan Diego FERNANDEZ-JARA has committed a violation of Title 8, United States Code, Section 1325(c).

PROBABLE CAUSE

5. On March 25, 2025, HSI Rouses Point and Immigration and Customs Enforcement (ICE) - Enforcement and Removal Operations (ERO) Champlain encountered Christian Diego

FERNANDEZ-JARA in Lake Placid, NY. FERNANDEZ-JARA was determined to be in violation of immigration law when FERNANDEZ JARA's status expired on March 30, 2024. FERNANDEZ-JARA is a native and citizen of Peru and as such, did not have status to remain in the United States after March 30, 2024. FERNANDEZ-JARA was taken into custody by HSI Rouses Point and ICE-ERO Champlain.

6. In a post-*Miranda* interview, FERNANDEZ-JARA stated that he currently lives in Lake Placid with his brother, a citizen of Peru, and another woman who is also a Peruvian citizen. FERNANDEZ-JARA stated that he met Co-conspirator A, a U.S. Citizen, when they worked together at a restaurant in Lake Placid. FERNANDEZ-JARA stated Co-conspirator A was going to help him with his immigration status. FERNANDEZ-JARA stated he and Co-conspirator A got married on January 2, 2024, and they are still legally married.¹ FERNANDEZ-JARA stated that, although he and Co-conspirator A are still legally married, as of June 2024, they were not in a relationship anymore and did not live together. FERNANDEZ-JARA stated that Co-conspirator A was back in a romantic relationship with a prior boyfriend.
7. On June 7, 2024, Co-conspirator A filed with the United States Citizenship and Immigration Services (USCIS) an I-130 (Petition for Alien Relative) for her spouse (beneficiary) FERNANDEZ-JARA. I-130 forms are filed by U.S. Citizens, lawful permanent residents, or U.S. nationals to establish a qualifying relationship with an eligible relative (the beneficiary) who wishes to come to or stay in the United States permanently and apply for the Permanent Resident Card (also called a Green Card). A Permanent Resident Card would have provided FERNANDEZ-JARA with legal status to remain in the United States.

¹ Although FERNANDEZ-JARA said he and Co-conspirator A married on January 2, 2024, their marriage certificate from the New York State Department of Health, North Elba says their marriage date was January 24, 2024.

8. FERNANDEZ-JARA further stated during his interview that he asked Co-conspirator A to pretend to still be in a relationship with him while the I-130 was processed so he could get his immigration status adjusted and remain in the United States, but Co-conspirator A did not give him a firm answer.

Attested to by the Affiant:



Simon L. Kramer
Special Agent
Homeland Security Investigations

I, the Honorable Gary L. Favro United States Magistrate Judge, hereby acknowledge that this affidavit was attested to by the affiant by telephone on April 9, 2025 in accordance with Rule 4.1 of the Federal Rules of Criminal Procedure.



Hon. Gary L. Favro
United States Magistrate Judge